

**HELEN F. DALTON & ASSOCIATES, P.C.**  
ATTORNEYS AT LAW

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80-02 Kew Gardens Road, Suite 601, Kew Gardens, New York 11415  
Tel. (718) 263-9591 Fax. (718) 263-9598

August 5, 2025

**Via ECF:**

The Honorable Paul A. Engelmayer, U.S.D.J.  
United States District Court  
Southern District of New York  
40 Foley Square  
New York, NY 10007

Re: *Pinos et al v. Astor & Stone Inc. et al.*  
Civil Docket No.: 1:24-cv-04358-PAE-OTW

Dear Judge Engelmayer:

Our office represents the Plaintiffs in this FLSA action and we respectfully submit this motion jointly with Defendants to respectfully request the Court for an extension of 30 days to file the Plaintiffs' Motion for Settlement Approval and Settlement Agreement, pursuant to the Court's June 23, 2025 Order. The current deadline for Plaintiffs' filing is August 8, 2025. Dkt. No. 25.


On June 23, 2025, the parties filed a status report apprising the Court that a settlement in-principle has been reached after multiple mediation sessions. Dkt. No. 24. The Court then issued an Order of Dismissal that this, "*action is hereby dismissed and discontinued without costs, and without prejudice to the right to reopen the action within 45 days of the date of this Order if the settlement is not consummated. To be clear, any application to reopen must be filed within 45 days of this Order; any application to reopen filed thereafter may be denied solely on that basis. Further, if the parties wish for the Court to retain jurisdiction for the purposes of enforcing any settlement agreement, they must submit the settlement agreement to the Court within the same 45-day period to be "so ordered" by the Court. Per Paragraph 4(C) of the Court's Individual Rules and Practices for Civil Cases, unless the Court orders otherwise, the Court will not retain jurisdiction to enforce a settlement agreement unless it is made part of the public record. Any proposed order approving the settlement agreement that seeks the Court's continued jurisdiction should either (1) expressly state that the Court retains jurisdiction to enforce the agreement or (2) incorporate the terms of the settlement agreement in the order.*" Dkt. No. 25.

The parties are still in the process of finalizing the terms of the agreement with the assistance of the Court-appointed mediator. As such, the parties respectfully request an extension of 30 days – or until September 5, 2025 – to file their Motion for Settlement Approval and Settlement Agreement.

This is the first request for an extension of this deadline, and this request will not affect any other dates or deadlines.

We thank the Court for its consideration and remain available to provide any necessary information.

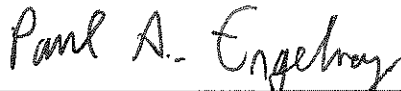
Respectfully submitted,

  
James O'Donnell, Esq.

CC: (*counsel of record for the Defendants via ECF*)

GRANTED. Plaintiffs' motion for settlement approval and settlement agreement is due September 5, 2025. No further extensions.

SO ORDERED.

  
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PAUL A. ENGELMAYER  
United States District Judge

August 5, 2025  
New York, New York